

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

.....
RICHARD YARRIS, individually and on behalf of
those individuals similarly situated,

Plaintiffs,

-against-

SEARS HOLDINGS CORPORATION, SEARS
HOLDINGS MANAGEMENT CORPORATION,
and SEARS, ROEBUCK and CO.,

Defendants.
.....

Civil Action No. 14-cv-05512

**STIPULATION DISMISSING DEFENDANTS SEARS HOLDINGS CORPORATION
AND SEARS HOLDINGS MANAGEMENT CORPORATION**

WHEREAS, Plaintiff's Complaint alleges violations of the Fair Labor Standards Act, U.S.C. §§ 201 et seq. (FLSA) and the New York Labor Law §§ 190 et seq. (NYLL); and,

WHEREAS, Plaintiff's Complaint names SEARS HOLDINGS CORPORATION (SHC) and SEARS HOLDINGS MANAGEMENT CORPORATION (SHMC) as Defendants and putative employers under the FLSA and the NYLL, in addition to SEARS, ROEBUCK and CO. ("Sears Roebuck"); and,

IT IS HEREBY STIPULATED, CONSENTED TO AND AGREED by and between the Parties through their undersigned counsel as follows:

1. Sears Roebuck was Plaintiff's employer under the FLSA and the NYLL. SHC and SHMC were not Plaintiff's employer under the FLSA and the NYLL.
2. SHC and SHMC are dismissed from this action, with prejudice.
3. The caption shall be amended accordingly to remove SHC and SHMC as parties in conformity with Exhibit A hereto.

4. Sears Roebuck shall not offer any defense claiming it is not an appropriate party to this litigation, and shall not disavow responsibility for any judgment obtained by Plaintiff in this action on the ground that it is not an appropriate party.

ZABELL & ASSOCIATES, P.C.
ATTORNEYS FOR PLAINTIFF
1 Corporate Drive, Suite 103
Bohemia, New York 11716
(631) 589-7242


By:


SAUL D. ZABELL, ESQ.

Dated:

JACKSON LEWIS P.C.
ATTORNEYS FOR DEFENDANTS
58 South Service Rd., Ste. 410
Melville, NY 11747
(631) 247-0404

By:


JONATHAN M. KOZAK, ESQ.

Dated:

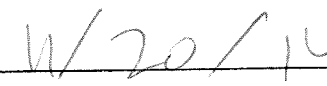

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EXHIBIT A

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

.....X
RICHARD YARRIS, individually and on behalf of those
individuals similarly situated,

Plaintiffs,

-against-

SEARS, ROEBUCK and CO.

Defendant.

Civ. No.: cv 14-5512

Spatt, J.

.....X